

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 15-2328 (FAB)

PUERTO RICO INDUSTRIAL
DEVELOPMENT COMPANY,

Defendant.

ORDER

BESOSA, District Judge.

The United States commenced this action on September 25, 2015 pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §§ 9607 *et seq.* (Docket No. 1.) The Court granted the United States' motion to trifurcate this litigation into a Liability Phase ("Phase I"), a Cost Phase ("Phase II"), and a Contribution Phase ("Phase III"). (Docket No. 85.)

In Phase I, the Court held that defendant Puerto Rico Industrial Development Company ("PRIDCO") is *prima facie* liable pursuant to CERCLA for all response costs incurred by the EPA in connection with the cis-1, 2-DCE plume. United States v. P.R. Indus. Dev. Co., 287 F. Supp. 3d 133 (D.P.R. 2017) (Besosa, J.)

In Phase II, the Court held that the United States is entitled to recover \$5,398,161.04 from PRIDCO. (Docket No. 175.)

In Phase III of this litigation, PRIDCO may seek contribution from potentially responsible parties. 42 U.S.C. §§ 9607, 9613. PRIDCO filed a third-party complaint on September 29, 2016. (Docket No. 46.) According to PRIDCO, the following parties are "responsible for all costs of removal or remedial action:" (1) System Engineering Labs, Inc., (2) Coulter Reagents, Inc., (3) Beckman Coulter, Inc., (4) Solar Mat of Puerto Rico Co., (5) Orle International Corp., (6) the Commonwealth of Puerto Rico, (7) the Municipality of Maunabo, (8) Premium Fruit Co., (9) Puerto Rico Beverage, Inc., (10) E.I.G. Aqua Pura de PR, Inc., (11) Juan Orozco, Ltd., (12) CAPI, Inc., and (13) Sunoco Caribbean Inc. Id. at p. 10.

PRIDCO shall inform the Court whether it intends to seek contribution from additional potentially responsible parties by **no later than June 28, 2019**. The United States and PRIDCO shall submit a Proposed Discovery Plan for Phase III by **no later than July 26, 2019**.

IT IS SO ORDERED.

San Juan, Puerto Rico, May 31, 2019.

s/ Francisco A. Besosa
FRANCISCO A. BESOSA
UNITED STATES DISTRICT JUDGE